IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.30255 of 2008
SAHEB LAL RABIDAS @ SAHEB RABIDAS S/O LATE KISHORI RABIDAS, RESIDNT OF VILAGE-PIRDHAL, P.S. AZAMNAGAR, DISTRICT-KATIHAR.
Versus
STATE OF BIHAR
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2. 15.10.2008 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends arrest in a complaint case under Sections 323,493 & 504 of the Penal Code.

Learned counsel submits that while Sections 323 & 504 of the Penal Code are bailable, Section 493 has no application on the face of the allegations when the complainant admits voluntary cohabitation with the complainant ever since 1982 when the allegations have been made in the year 2002.

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Cognizance is acknowledged to have been taken in or about the year 2003-2004 when anticipatory bail has been sought for the first time before the court below in the year 2008 with no explanation for the delay.

Only for the reason of delay attributable solely to the petitioner, this Court is not persuaded to entertain this plea for anticipatory bail. The application is rejected.

Any application for regular bail shall be considered by the court below on its own merits on the submissions made presently without being prejudiced by the present order.

AKS/ **(Navin Sinha, J.)**